

# House Study Bill 740

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
LOCAL GOVERNMENT BILL BY  
CHAIRPERSON GASKILL)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to county compensation boards by modifying the  
2 composition of the boards, requiring certain information to be  
3 considered by a board, and providing a procedure for  
4 preparation and adoption of a compensation schedule in certain  
5 years.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
7 TLSB 6441HC 82  
8 md/sc/8

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1 1 Section 1. Section 331.905, subsection 1, unnumbered  
1 2 paragraph 1, Code 2007, is amended to read as follows:  
1 3 There is created in each county a county compensation board  
1 4 ~~which. Except as provided in subsection 2, the county~~  
1 5 ~~compensation board~~ shall be composed of seven members who are  
1 6 residents of the county. The members of the county  
1 7 compensation board shall be selected as follows:  
1 8 Sec. 2. Section 331.905, Code 2007, is amended by adding  
1 9 the following new subsection:  
1 10 NEW SUBSECTION. 1A. If employees of a county are  
1 11 represented by an employee organization certified as the  
1 12 bargaining representative, the county compensation board shall  
1 13 include one additional member appointed by the employee  
1 14 organization.  
1 15 Sec. 3. Section 331.905, subsection 2, Code 2007, is  
1 16 amended to read as follows:  
1 17 2. The members of the county compensation board shall be  
1 18 appointed to four-year, staggered terms of office. ~~The Except~~  
1 19 ~~as provided in subsection 1A, the members of the county~~  
1 20 ~~compensation board shall not be officers or employees of the~~  
1 21 ~~state or a political subdivision of the state. A term shall~~  
1 22 ~~be effective on the first of July of the year of appointment~~  
1 23 ~~and a vacancy shall be filled for the unexpired term in the~~  
1 24 ~~same manner as the original appointment.~~  
1 25 Sec. 4. Section 331.907, Code 2007, is amended to read as  
1 26 follows:  
1 27 331.907 COMPENSATION SCHEDULE == PREPARATION AND ADOPTION.  
1 28 1. The annual compensation of the auditor, treasurer,  
1 29 recorder, sheriff, county attorney, and supervisors shall be  
1 30 determined as provided in this section. ~~The county~~  
1 31 ~~compensation board annually shall review the compensation paid~~  
1 32 ~~to comparable officers in other counties of this state, other~~  
1 33 ~~states, private enterprise, and the federal government. In~~  
1 34 ~~setting the salary of the county sheriff, the county~~  
1 35 ~~compensation board shall consider setting the sheriff's salary~~  
2 1 ~~so that it is comparable to salaries paid to professional law~~  
2 2 ~~enforcement administrators and command officers of the state~~  
2 3 ~~patrol, the division of criminal investigation of the~~  
2 4 ~~department of public safety, and city police agencies in this~~  
2 5 ~~state. The county compensation board shall prepare a~~  
2 6 ~~compensation schedule for the elective county officers for the~~  
2 7 ~~succeeding fiscal year. A recommended compensation schedule~~  
2 8 ~~requires a majority vote of the membership of the county~~  
2 9 ~~compensation board. The recommended compensation schedule~~  
2 10 ~~shall be prepared in accordance with all of the following:~~  
2 11 a. The county compensation board annually shall review the  
2 12 compensation paid to comparable officers in other counties of  
2 13 this state, other states, private enterprise, and the federal  
2 14 government.  
2 15 b. The county compensation board shall document comparable

2 16 salaries for each elective county officer within the  
2 17 recommended compensation schedule and submit such  
2 18 documentation to the board of supervisors.  
2 19 c. The county compensation board shall consider any  
2 20 relevant collective bargaining agreements and the consumer  
2 21 price index for the midwest region, as published in the  
2 22 federal register by the United States department of labor,  
2 23 bureau of labor statistics, when preparing the recommended  
2 24 compensation schedule.  
2 25 d. The county compensation board shall consider setting  
2 26 the sheriff's salary so that it is comparable to salaries paid  
2 27 to professional law enforcement administrators and command  
2 28 officers of the state patrol, the division of criminal  
2 29 investigation of the department of public safety, and city  
2 30 police agencies in this state.  
2 31 2. a. ~~At~~ Except as otherwise provided in subsection 3, at  
2 32 the public hearing held on the county budget as provided in  
2 33 section 331.434, the county compensation board shall submit  
2 34 its recommended compensation schedule for the next fiscal year  
2 35 to the board of supervisors for inclusion in the county  
3 1 budget.  
3 2 b. The board of supervisors shall review the recommended  
3 3 compensation schedule for the elected county officers and  
3 4 determine the final compensation schedule which shall not  
3 5 exceed the compensation schedule recommended by the county  
3 6 compensation board. In determining the final compensation  
3 7 schedule if the board of supervisors wishes to reduce the  
3 8 amount of the recommended compensation schedule, the amount of  
3 9 salary increase proposed for each elected county officer shall  
3 10 be reduced an equal percentage.  
3 11 c. A copy of the final compensation schedule shall be  
3 12 filed with the county budget at the office of the director of  
3 13 the department of management. The final compensation schedule  
3 14 takes effect on July 1 following its adoption by the board of  
3 15 supervisors.  
3 16 3. For compensation schedules applicable to the fiscal  
3 17 year beginning July 1, 2009, and each fifth fiscal year  
3 18 thereafter, and for compensation schedules applicable to the  
3 19 first fiscal year following an increase or decrease in the  
3 20 number of supervisors, the following procedure shall be  
3 21 followed:  
3 22 a. The recommended compensation schedule prepared by the  
3 23 county compensation board for the next fiscal year shall be  
3 24 submitted to the board of supervisors no less than thirty days  
3 25 prior to the public hearing on the county budget as provided  
3 26 in section 331.434. The board of supervisors shall make  
3 27 available a sufficient number of copies of the recommended  
3 28 compensation schedule for distribution by the county auditor's  
3 29 office.  
3 30 b. The board of supervisors shall set a time and place for  
3 31 a public hearing on the recommended compensation schedule  
3 32 prior to the public hearing on the county budget. Notice of  
3 33 the public hearing shall be published not less than ten and no  
3 34 more than twenty days prior to the public hearing in the  
3 35 county newspapers selected under chapter 349.  
4 1 c. The board of supervisors shall review the recommended  
4 2 compensation schedule for the elected county officers and  
4 3 determine the final compensation schedule which shall not  
4 4 exceed the compensation schedule recommended by the county  
4 5 compensation board. In determining the final compensation  
4 6 schedule, the board of supervisors may reduce the amount of  
4 7 salary increase proposed for an elected county officer without  
4 8 reducing by an equal percentage the amount of salary increase  
4 9 recommended for the other elected county officers. The final  
4 10 compensation schedule shall be approved by the board of  
4 11 supervisors no later than five days after the conclusion of  
4 12 the hearing on the county budget.  
4 13 d. A copy of the final compensation schedule shall be  
4 14 filed with the county budget at the office of the director of  
4 15 the department of management. The final compensation schedule  
4 16 takes effect on July 1 following its adoption by the board of  
4 17 supervisors.  
4 18 ~~3.~~ 4. The elected county officers are also entitled to  
4 19 receive their actual and necessary expenses incurred in  
4 20 performance of official duties of their respective offices.  
4 21 ~~4.~~ 5. In counties having two courthouses, a principal  
4 22 elected county officer and the principal officer's first  
4 23 deputy or assistant may agree in writing to a division of  
4 24 their annual salaries. The division shall not allow for  
4 25 payment to the elected officer and the first deputy or  
4 26 assistant which is greater than the sum of the two salaries

4 27 otherwise authorized by law. Upon certification to the board  
4 28 by the elected officer involved, the board shall certify to  
4 29 the auditor the annual salaries certified by the elected  
4 30 officer.

4 31 EXPLANATION

4 32 This bill amends provisions relating to the composition of  
4 33 a county compensation board and the procedure for preparing  
4 34 and adopting a compensation schedule for elected county  
4 35 officers.

5 1 The bill specifies that if employees of a county are  
5 2 represented by an employee organization certified as the  
5 3 bargaining representative, the county compensation board shall  
5 4 have one additional member appointed by the employee  
5 5 organization.

5 6 The bill directs a county compensation board to consider  
5 7 any relevant collective bargaining agreements and the consumer  
5 8 price index for the midwest region when preparing a  
5 9 recommended compensation schedule. The bill also directs a  
5 10 county compensation board to document comparable salaries for  
5 11 each elective county officer and submit such documentation to  
5 12 the board of supervisors.

5 13 The bill also establishes an alternate procedure for  
5 14 adopting a compensation schedule to be used by each county in  
5 15 every fifth fiscal year and for fiscal years following an  
5 16 increase or decrease in the number of supervisors. The  
5 17 current procedure in Code section 331.907 shall be used in all  
5 18 other fiscal years.

5 19 For those years in which the bill requires the alternate  
5 20 procedure, the recommended compensation schedule must be  
5 21 submitted to the board of supervisors no less than 30 days  
5 22 prior to the public hearing on the county budget. The bill  
5 23 requires the board of supervisors to make copies of the  
5 24 recommended compensation schedule available to the public.  
5 25 The bill also requires the board of supervisors to hold a  
5 26 public hearing on the recommended compensation schedule before  
5 27 the public hearing on the county budget. The bill gives the  
5 28 board of supervisors authority to determine the final  
5 29 compensation schedule, but the bill mandates that it be  
5 30 approved no later than five days after the conclusion of the  
5 31 hearing on the county budget. The bill provides that in each  
5 32 fifth fiscal year, when determining the final compensation  
5 33 schedule, the board of supervisors may reduce the recommended  
5 34 compensation increase for a county officer without being  
5 35 required to reduce by an equal percentage the increases  
6 1 recommended for the other county officers.

6 2 LSB 6441HC 82

6 3 md/sc/8.1